

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

ARTHUR T. GRIFFIN, JR.,	)	8:07CV162
	)	
Petitioner,	)	
vs.	)	<b>MEMORANDUM</b>
	)	<b>AND ORDER ON</b>
UNKNOWN NEWTON, DIRECTOR,	)	<b>INITIAL REVIEW</b>
	)	
Respondent.	)	

On April 30, 2007, the petitioner, Arthur T. Griffin, Jr., applied to this court for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Griffin states that he was sentenced on April 23, 2007, to 30 days in the Douglas County Correctional Facility after pleading no contest in the District Court of Douglas County to obstructing a police officer, 3 counts of theft by shoplifting, and 2 counts of failure to appear.

This matter is now before the court for initial review of the petition pursuant to Rule 4 of the Rules Governing Section 2254 Proceedings in the United States District Courts, which provides:

The clerk must promptly forward the petition to a judge under the court's assignment procedure, and the judge must promptly examine it. If it plainly appears from the petition and any attached exhibits that the petitioner is not entitled to relief in the district court, the judge must dismiss the petition and direct the clerk to notify the petitioner. If the petition is not dismissed, the judge must order the respondent to file an answer, motion, or other response within a fixed time, or to take other action the judge may order. In every case, the clerk must serve a copy of the petition and any order on the respondent and on the attorney general or other appropriate officer of the state involved.

Griffin states in the petition that no appeal or motion for postconviction relief was filed in state court. The only ground for relief alleged, apart from random citations to Nebraska cases, is that there was a “deprivation of rights under color of law.” (Filing 1, at 5.)

It plainly appears from the petition that Griffin is not entitled to any relief from this court. Griffin has not exhausted his state court remedies before seeking federal habeas relief. Moreover, he has alleged no facts whatsoever to show that his constitutional rights have been violated in any manner.

Accordingly,

IT IS ORDERED that the petition for writ of habeas corpus filed in this matter is denied in all respects, and this action is dismissed with prejudice, for petitioner’s failure to state a claim upon which relief can be granted. Judgment shall be entered by separate document.

June 12, 2007.

BY THE COURT:

*s/ Richard G. Kopf*  
United States District Judge